

REMARKS

Claims 1-40 are pending in the present application, with claims 1, 12, 17, 21, 28, and 37 being the independent claims. Claim 12 has been amended. No new matter has been added.

In the Office Action dated October 9, 2007, the specification is objected to because of informalities. Claims 12-16 are rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Claims 1-3, 6, 12-19, 28, 29, 33, 34, 36, and 37 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Publication No. 2004/0087326 issued to Dunko et al (hereinafter referred to as “Dunko”) in view of “Microsoft Internet Explorer 5 in 24 Hours” by Jill T. Freeze (hereinafter referred to as “Freeze”). Claims 4, 5, and 10 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Dunko in view of Freeze in further view of Office Notice. Claims 20 and 30-32 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Dunko in view of Freeze in further view of U.S. Patent Publication No. 2004/0186883 issued to Nyman et al (hereinafter referred to as “Nyman”). Claims 38, 39, and 40 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Dunko in view of Freeze in further view of U.S. Patent Publication No. 2004/0193691 issued to Chang (hereinafter referred to as “Chang”). Claims 7, 8, 11, and 35 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Dunko in view of Freeze in further view of U.S. Patent Publication No. 2003/0186680 issued to Bhasin et al (hereinafter referred to as “Bhasin”). Claim 9 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Dunko in view of Freeze in further view of U.S. Patent Publication No. 2003/0026432 issued to Woodward (hereinafter referred to as “Woodward”). Claims 21, 22, and 24 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Dunko in view of U.S. Patent No. 6,047,327 issued to Tso et al (hereinafter referred to as “Tso”). Claims 23 and 25-27 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Dunko in view of Tso in further view of Office Notice. The outstanding rejections to the claims are respectfully traversed.

Drawings

Applicants gratefully acknowledge that the Office Action indicates that the drawings are accepted.

Objections to the Specification

The Office Action objects to paragraph [0001] of the present specification because that paragraph does not include the patent application numbers of the recited copending applications. Applicants propose amending paragraph [0001] as recited herein to include the relevant patent application numbers and remove attorney docket numbers. Applicants also propose amending paragraph [0049] as recited herein to address missing patent application numbers.

The Office Action further objects to the specification for lacking a Brief Summary of the Invention as described in MPEP §608.01(d). and 37 CFR 1.73. Applicants propose amending the specification to insert the new paragraph [0004.1] and the heading “SUMMARY”, as recited herein, immediately following the end of the section entitled “BACKGROUND” and before the beginning of the section entitled “BRIEF DESCRIPTION OF THE DRAWINGS” as the Summary and renumbering the paragraphs accordingly. No new matter has been added. Reconsideration and withdrawal of the specification objections is respectfully requested.

Rejections under 35 U.S.C. §112

Claims 12-16 are rejected under 35 U.S.C §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Office Action asserts that the terms “the completed user” lacks sufficient antecedent basis in these claims. Claim 12 has been amended as recited herein to address the alleged indefiniteness. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 12-16 under 35 U.S.C §112, second paragraph.

Rejections under 35 U.S.C. §103

Claims 1-3, 6, 12-19, 28, 29, 33, 34, 36, and 37 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Dunko in view of Freeze. Applicants respectfully traverse this rejection.

Claim 1 recites:

1. In a telecommunications system having at least one network gateway coupled among multiple mobile devices and a network, and wherein a content sharing system and a content provider are also coupled to the network, a method of sharing content between a user and a recipient, both of whom have a mobile device having access to the network, the method comprising:

receiving a request message, wherein the request message is generated, at least in part, by the content provider, the request message comprising:

information identifying the content sharing system, and information identifying content provided by the content provider, wherein the user selected the identified content as content that the user wishes to share with the recipient;

providing a user input form for display to the user, wherein the user input form includes a request for the user to identify the recipient;

receiving user input information submitted by the user via the user input form; and

based on the received information, generating a content share message for transmittal to the mobile device of the recipient, wherein the content share message includes an indication of the identified content that the user wishes to share with the recipient, so that the content can be presented on the mobile device of the recipient.

The Office Action asserts that Dunko discloses, in Dunko's Abstract and paragraphs [0004], [0042], and [0044], the elements of claim 1 emphasized above. Applicants respectfully disagree. In the Dunko system, a content user and a remote user contact each other using some form of communication and activate a content sharing session at a given time to share content from a content source device (paragraph [0042]). Content is sent from

Dunko's content source device to the content user device, and, following any necessary reformatting, the content user device transmits the content to the remote user device (paragraph [0044]). Thus, Dunko describes a system in which an intermediate mobile device (the content user device) acts as a conduit between a content source and the remote user device for sharing content at a predetermined time, requiring coordination by the users of both the intermediate mobile device and the remote device.

In contradistinction, the system of claim 1 discloses a request message, wherein the request message is generated, at least in part, by the content provider, the request message comprising: information identifying the content sharing system, and information identifying content provided by the content provider, wherein the user selected the identified content as content that the user wishes to share with the recipient; and based on the received information, generating a content share message for transmittal to the mobile device of the recipient, wherein the content share message includes an indication of the identified content that the user wishes to share with the recipient, so that the content can be presented on the mobile device of the recipient. This is unlike Dunko's system, which transmits shared data from a content source device to a remote device via an intermediate device at a predetermined time, requiring the cooperation of the users of both the intermediate device and the remote device. Receiving a request message that includes information identifying the content sharing system and the content, and generating a request content share message based on that information is not the same as transmitting data from a content source device to a remote device via an intermediate device at a predetermined time.

Applicants respectfully assert that Freeze does not remedy this deficiency of Dunko. In order for a reference or references to anticipate or render a claim obvious, they must teach and/or suggest all of the recited elements as well as the arrangements of those elements. Dunko and Freeze, either alone or in combination, do not disclose or suggest all the elements of claim 1. Accordingly, Applicants respectfully submit that claim 1 is allowable over the cited art, and request reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §103(a).

Independent claims 12, 17, 21, 28, and 37 are rejected, at least in part, on substantially the same grounds as claim 1. Therefore, Applicants respectfully submit that the arguments set forth above in regard to the rejection of claim 1 also apply to the rejection of claims 12,

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17, 21, 28, and 37. Accordingly, Applicants respectfully submit that claims 12, 17, 21, 28, and 37 are allowable over the cited art, and request reconsideration and withdrawal of the rejection of claims 12, 17, 21, 28, and 37 under 35 U.S.C. §103(a).

Applicants acknowledge that the Office Action establishes additional grounds for rejection of the remaining claims, all of which are dependent upon claims 1, 12, 17, 21, 28, and 37, either directly or indirectly. However, in view of the amendments and traversals set forth with respect to the independent claims, Applicants believe that all such dependent claims are in condition for allowance, rendering the rejection of those claims moot.

Applicants believe that this response completely and accurately addresses all grounds of rejection. Applicants reserve the right to challenge the rejection of any of those dependent claims in any future response that may be forthcoming.

CONCLUSION

In view of the foregoing, Applicants respectfully submit that this application, including claims 1-40, is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

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